



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

BIDS AND AWARDS COMMITTEE
Resolution No. 159-2022, Series of 2022

**RECOMMENDING THE APPROVAL OF THE EXTENSION OF CONTRACT FOR
JANITORIAL SERVICES**

WHEREAS, the National Privacy Commission (NPC or Commission) is a Procuring Entity mandated by law to meticulously and judiciously plan its budget consistent with government fiscal discipline measures;

WHEREAS, the Janitorial Services is essential, indispensable and necessary for the operations of NPC, so as not to disrupt the provision of services and to ensure the cleanliness of the working environment;

WHEREAS, the contract with One Merit Global Janitorial Services, Inc. with a total contract amounting to Php1,085,174.20 commenced on 1 February 2022 and will end on 31 December 2022;

WHEREAS, the Administrative Services Division (ASD), the end-user, requested for the extension of the existing contract under the same terms and conditions of the original contract, in order to ensure continuity in the provision of janitorial services while the procurement of the regular contract is still pending;

WHEREAS, the period for extension shall commence from 1 January 2023 until 31 March 2023, or until the award of a new contract is completed, whichever comes first;

WHEREAS, Section 4.0 of Appendix 24 (Revised Guidelines on the Extension of Contracts for General Support Services), of the Revised Implementing Rules and Regulations (IRR) of R.A. 9184, provides that procuring entities may extend the duration or effectivity of an ongoing contract about to expire, provided it complies with the conditions stated therein;

WHEREAS, this procurement has a Certificate of Availability of Funds (CAF) amounting to Two Hundred Eighty-Five Thousand Fifty Pesos and Seventy-Nine Centavos (Php285,050.79) chargeable against Janitorial Services (GAS-MOOE), under the General Appropriations Act FY 2023 (RA 11936) and pursuant to the National Expenditure Program (NEP) for 2023;

WHEREAS, the supplier has not violated any of the provisions of the original contract that would preclude extension of the contract as evidenced by the Certification of Satisfactory Performance issued by the end-user, herein attached as Annex "A";

WHEREAS, the supplier, through its authorized representative, Ms. Rosario Buenaobra-Lipata, expressed its conformity to the requested extension;

NOW, THEREFORE, for and in consideration of the foregoing, WE, the members of the NPC-Bids and Awards Committee, hereby RESOLVE, as it is hereby RESOLVED, to recommend

The original of this document (containing only the BAC member's signature) is in digital format

Ref No.: BAC-22-00948

NPC_BAC_RESO-V1.0, R0.0, 05 May 2021

5th Floor, Philippine International Convention Center, Vicente Sotto Avenue, Pasay City, Metro Manila 1307


URL: <http://privacy.gov.ph> Email Add: info@privacy.gov.ph Tel No. 8234-2228

the extension of the contract for Janitorial Services entered into with **One Merit Global Janitorial Services, Inc.** from 1 January 2023 to 31 March 2023 or until the award of new contract is completed, whichever comes first, with a total cost of **Two Hundred Eighty-Five Thousand Fifty Pesos and Seventy-Nine Centavos (Php285,050.79)** subject to the compliance of all relevant provisions of R.A. 9184 and its Revised IRR;

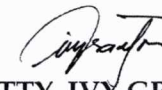
RESOLVED this 28th day of December 2022, via combination of on-site and videoconference meeting.

ATTEST:

On leave
ATTY. RAINIER ANTHONY M. MILANES
Chief, CMD
BAC Member

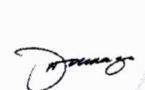
 Digitally signed by
Mendoza Ma
Josefina Eusebio
ATTY. MA. JOSEFINA E. MENDOZA
Attorney IV, LD
BAC Member

On leave
JONATHAN RUDOLPH Y. RAGSAG
ITO II, DSTSD
BAC Member

 Digitally signed by
Ivy Grace T. Villasoto
ATTY. IVY GRACE T. VILLASOTO
Chief, PDD
BAC Vice Chairperson

 Digitally signed by
Patula Maria Theresita
Elnar
ATTY. MARIA THERESITA E. PATULA
Director IV, LEO
BAC Chairperson

Approved:

 Digitally signed by
Naga John
Henry Du

ATTY. JOHN HENRY D. NAGA
Privacy Commissioner
Head of the Procuring Entity
Date: DEC 28 2022

EXTENSION OF CONTRACT FOR JANITORIAL SERVICES

KNOW ALL MEN BY THESE PRESENTS:

This EXTENSION OF CONTRACT is made and entered into this **29 December 2022**, in Metro Manila, Philippines, by and between:

The **NATIONAL PRIVACY COMMISSION**, a government agency mandated to administer and implement the Data Privacy Act of 2012, and to monitor and ensure compliance of the country with international standards set for data protection, with office address at 5th Floor Delegation Building, PICC Complex, Roxas Blvd., Pasay, Metro Manila, represented herein by its Privacy Commissioner, **Atty. JOHN HENRY D. NAGA**, (hereinafter referred to as the "NPC"),

- and -

The **ONE MERIT GLOBAL JANITORIAL SERVICES, INC.**, a corporation duly organized and existing under and by virtue of Philippine laws, with principal office at [REDACTED] Philippines, herein represented by its Marketing Officer In Charge, **ROSARIO BUENAOBRALIPATA** (hereinafter referred to as the "SERVICE PROVIDER");

The NPC and the SERVICE PROVIDER shall hereinafter be referred to collectively as the "PARTIES."

WITNESSETH, that:

WHEREAS, the NPC and the SERVICE PROVIDER, pursuant to NPC Bids and Awards Committee (BAC) Resolution No. 171-2021, series of 2021, entered into a Janitorial Service Agreement on 26 January 2022 which was in force and effect until 31 December 2022. A copy of said Agreement is attached herein as "ANNEX A" and made an integral part of this Extension of Contract;

WHEREAS, on 28 December 2022 the NPC Accountant issued Certificate of Funds Available (CAF) amounting to **Two Hundred Eighty-Five Thousand Fifty Pesos and Seventy-Nine Centavos (PHP285,050.79)**. A Copy of the CAF is hereto attached as Annex "B" and made an integral part of this Agreement.

WHEREAS, on 28 December 2022, the NPC BAC deliberated on and resolved to approve the request of the end-user for an extension of the aforementioned Janitorial Services Agreement from 1 January to 31 March 2023 as an emergency measure, given that the services rendered by the SERVICE PROVIDER are essential, indispensable, and necessary for the daily operation of the NPC, and that the extension of the contract with the SERVICE PROVIDER is vital to maintain sanitation, cleanliness, secure and orderly office environment in the Commission.

WHEREAS, GPPB Resolution No. 23-007 authorizes the extension of contracts of general support services which are essential, indispensable, or necessary to support the operations of the procuring entity for the enhancement of the welfare of its personnel, including janitorial and security services;

WHEREAS, Section 4.0 of Annex "A" of the Revised Guidelines on the Extension of Contracts for General Support Services provides that procuring entities may extend the duration or effectivity of an on-going contract about to expire for a period not to exceed one (1) year, provided that the current service provider has not violated any provisions of the original contract, that the extension is merely an emergency measure to maintain status quo in the operations of the procuring entity and to avoid interruption of service, and that

the terms and conditions of the original contract shall not be changed or modified except when advantageous to the government without additional cost to the procuring entity.

WHEREAS, the terms and conditions of the Janitorial Services Agreement dated 26 January 2022 shall be read and construed as part of this Agreement, and all terms and conditions of the Original Contract which are not inconsistent with this Agreement shall remain unchanged and in full force and effect.

WHEREAS, the following modifications is hereby adopted which redounds to the advantage of the government at no additional cost to the NPC:

NPC may immediately terminate this Janitorial Service Agreement upon service and delivery of a notice of the termination to the SERVICE PROVIDER on any of the following grounds: (1) failure to perform or materially breach, any of its obligations, covenants, or representations as set forth in the Janitorial Services Agreement; (2) failure to produce a result that meets the specifications of provided for in the Janitorial Services Agreement; and, (3) when the failure or breach is serious enough to materially harm or otherwise reduce the value of the Janitorial Service Agreement.

In the event of termination, payment of the contract price will be made to the SERVICE PROVIDER only for the work performed up to the date of termination.

NPC shall pay the Service Provider a monthly rate of Ninety-Five Thousand Sixteen Pesos and Ninety-Three Centavos (Php95,016.93) equivalent to a total rate of Two Hundred Eighty-Five Thousand Fifty Pesos and Seventy-Nine Centavos (PHP285,050.79) for three (3) months inclusive of all applicable taxes.


NOW, THEREFORE, for and in consideration of the foregoing premises, the PARTIES hereby agree to extend the aforementioned Janitorial Services Agreement from 1 January 2023 to 31 March 2023.

IN WITNESS WHEREOF, the PARTIES hereto have signed this Extension Contract this 29th day of December 2022 at Pasay City.

NATIONAL PRIVACY COMMISSION

ONE MERIT GLOBAL JANITORIAL SERVICES, INC.

By:


ATTY. JOHN HENRY D. NAGA
Privacy Commissioner *see attached*

By:



ROSARIO BUENAOBRA-LIPATA
Marketing Officer In Charge


JENSEN JOY L. BALLICUD
Accountant III

Signed in the Presence of:


MARLON RUBEN N. FABRICANTE

Signature over Printed Name


CRISTINA L. LLAPENAR

Signature over Printed Name

ACKNOWLEDGMENT

BERORE ME, a Notary Public for and in the City of Pasay, Philippines, personally appeared the following:

NAME	GOVERNMENT-ISSUED ID/ Date issued/ Expiring Date
ATTY. JOHN HENRY D. NAGA	[REDACTED]
ROSARIO BUENAOBRA-LIPATA	[REDACTED]

Known to me to be the same persons who executed the foregoing extension to the Janitorial Service Agreement. They acknowledged that the same is their true act and voluntary will and deed as well as the true will and deed of the entities they represent. The foregoing instrument consists of _____ () pages, including this page where the acknowledgment is written, and has been signed by the authorized representatives of the parties on the space above their names and on all pages at their margins, including their witnesses.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this _____ day of DEC 29 2022 at the City of Pasay, Metro Manila, Philippines.

NOTARY PUBLIC

Doc. No. 192;
Page No. 46;
Book No. L17;
Series of 2022.

ATTY. CHARLIE S. GARCIA
Adm. Matter NO. NP-249
Extended until December 31, 2022 per BM
No. 3795
Notary Public for and in Quezon City
#12 Xavierville Ave. cor Pajo St. Loyola
Heights Quezon City
Roll no. 58308
PTR NO. 2508197 ; 1-12-2022 QUEZON CITY
197108 ; 1-7-2022 LAGUNA